

Fiscal Services Division
Legislative Services Agency
Fiscal Note

HF 498 - Guardian Ad Litem Duties (LSB 2928 HH)

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Fiscal Note Version - New

Description

House File 498 requires a guardian ad litem to visit the residence of a child they represent at least once every 90 days while the child is in that residence. Current law requires the guardian ad litem visit a child's residence, home, or both, and the prospective home or residence of a child, including each time the child's placement is changed.

Background

1. State Public Defender/Indigent Defense pays both travel time (\$50 per hour) and mileage (\$0.24 per mile) for attorneys to perform statutory duties for those who file claims.
2. In FY 2004, the State Public Defender processed 21,370 claims in Child In Need of Assistance (CINA) cases and 2,089 in Termination of Parental Rights cases. Many of these cases involve multiple claims, therefore, it is estimated that approximately one-third of these cases (8,000) were separate cases.
3. The counties pay \$1.2 million for juvenile justice annually and the State picks up the remainder of the costs.
4. A guardian ad litem does not have to be an attorney.

Assumptions

1. House File 498 is anticipated to impact approximately 8,000 cases in which a guardian ad litem would need to perform a visit every 90 days.
2. The estimate assumes that one visit is already being completed during a year.
3. Each additional visit would be approximately \$200 per visit or \$600 per case, per year in additional expenses.

Fiscal Impact

The fiscal impact of HF 498 is estimated to cost the General Fund approximately \$2.4 million (if half the guardian ad litem filed a claim) to \$4.8 million (if every guardian ad litem filed a claim).

Sources

Judicial Branch
State Public Defender's Office

/s/ Holly M. Lyons

March 29, 2005

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
